

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-against-

**COLONIAL INVESTMENT
MANAGEMENT LLC,
COLONIAL FUND LLC, and
CARY G. BRODY,**

Defendants.

**07 CIV 8849 (PKC)
ELECTRONIC FILING**

DECLARATION OF SERVICE

I, LAURA V. YEU, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of the Bar of this Court and the attorney for Plaintiff, United States Securities and Exchange Commission (“Commission”), and am employed at the Commission’s New York Regional Office.

2. On October 3, 2007, the Commission staff had a telephone conversation with Ira Lee Sorkin, Esq., who agreed to accept service of a Summons and Complaint in the above-captioned matter on behalf of each of the defendants in this case, Colonial Investment Management LLC, Colonial Fund LLC, and Cary G. Brody, pursuant to Rule 4 of the Federal Rules of Civil Procedure.

3. On October 15, 2007, the Commission staff served a copy of a Summons and Complaint in the above-captioned matter upon each of the defendants, Colonial Investment

Management LLC, Colonial Fund LLC, and Cary G. Brody, by causing true and correct copies thereof to be transmitted by Federal Express for overnight delivery to the office of their attorney, Ira Lee Sorkin, Esq., at Dickstein Shapiro LLP.

4. A copy of the Summons to each defendant is attached hereto as "Exhibit A".

Upon information and belief, I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 22, 2007
 New York, New York

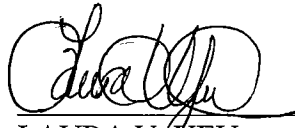
A handwritten signature in black ink, appearing to read 'Laura V. Yeu', is written over a horizontal line.

LAURA V. YEU
Attorney for Plaintiff
Securities and Exchange Commission
New York Regional Office
3 World Financial Center
New York, NY 10281-1022
Ph: (212) 336-0187
Fax: (212) 336-1322
Email: YeuL@sec.gov

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Plaintiff Securities and Exchange Commission's Declaration of Service by mailing a copy of same via overnight mail prepaid on this 22nd day of October, 2007 to:

Ira Lee Sorkin
Dickstein Shapiro LLP
1177 Avenue of the Americas
New York, NY 10036-2714

A handwritten signature in black ink, appearing to read 'Laura V. Yeu', is written over a horizontal line.

LAURA V. YEU
Attorney for Plaintiff
Securities and Exchange Commission
New York Regional Office
3 World Financial Center
New York, NY 10281-1022
(212) 336-0187

Exhibit A

JUDGE CASTEL

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Securities and Exchange Commission

SUMMONS IN A CIVIL ACTION

V.

Colonial Investment Management LLC, Colonial
Fund LLC, and Cary G. Brody

CASE NUMBER:

07 CIV 8849

TO: (Name and address of Defendant)

Colonial Investment Management LLC
c/o Ira Lee Sorkin, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
New York, NY 10036

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Valerie A. Szczepanik, Esq.
Securities and Exchange Commission
3 World Financial Center, Room 400
New York, NY 10281

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 15 2007

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted: <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

JUDGE CASTEL
U.S. District Court Southern District of New York Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Securities and Exchange Commission

SUMMONS IN A CIVIL ACTION

V.
Colonial Investment Management LLC, Colonial
Fund LLC, and Cary G. Brody

07 CIV 8849

CASE NUMBER:

TO: (Name and address of Defendant)

Colonial Fund LLC
c/o Ira Lee Sorkin, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
New York, NY 10036

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Valerie A. Szczepanik, Esq.
Securities and Exchange Commission
3 World Financial Center, Room 400
New York, NY 10281

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

OCT 15 2007

J. MICHAEL McMAHON

CLERK

DATE

(By) *Astoria Custis*
DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

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MICHAEL McMAHON

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Securities and Exchange Commission

SUMMONS IN A CIVIL ACTION

V.

Colonial Investment Management LLC, Colonial
Fund LLC, and Cary G. Brody

CASE NUMBER:

07 CIV 8849

TO: (Name and address of Defendant)

Cary G. Brody
c/o Ira Lee Sorkin, Esq.
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
New York, NY 10036**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)Valerie A. Szczepanik, Esq.
Securities and Exchange Commission
3 World Financial Center, Room 400
New York, NY 10281

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON**OCT 15 2007**

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

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STATEMENT OF SERVICE FEES		
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TO BE FILED WITH THE COURT

NOV 15 2007

FEDERAL COURT

U.S. DISTRICT COURT

NORTH DAKOTA

GRAND FORK

JAN 15 2008

FEDERAL COURT

U.S. DISTRICT COURT

NORTH DAKOTA

GRAND FORK